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May 12, 2015

VIA CMF/ECF

Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004-1408

Re: Picard v. A&G Goldman Partnership, Adv. Pro. No. 14-02407 (SMB); Capital Growth Company v. A&G Goldman Partnership, Adv. Pro. No. 14-02408 (SMB) (consolidated)

Dear Judge Bernstein:

We are counsel to Irving H. Picard, as trustee for the substantively consolidated SIPA liquidation of Bernard L. Madoff Investment Securities LLC and the estate of Bernard L. Madoff. Enclosed as Exhibit A please find a copy of the opinion and order issued on May 11, 2015 by the Honorable John G. Koeltl, District Judge for the U.S. District Court of the Southern District of New York, affirming this Court's June 23, 2014 decision in *Picard v. Marshall*, Adv. Pro. No. 14-01840.¹ We are providing notice of this decision as supplemental authority in the above-referenced case.

Respectfully submitted,

/s/ Keith R. Murphy

Keith R. Murphy

Enclosures

cc (via e-mail): All Counsel of Record

¹ The District Court simultaneously issued a memorandum opinion and order denying a petition by Adele Fox, Marsha Peshkin and other plaintiffs (the "Fox Plaintiffs") under Fed. R. Civ. P. 27(a) for a deposition of Bernard Madoff. Please see enclosed as Exhibit B a copy of that decision.